

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

**F029419 Koeth, et al. v. Halferty Developement Company, et al.**

No brief having been filed by appellant(s) Diane Koeth, Elizabeth Komin, Martin Koeth and Frank Komin after notice duly given under rule 17(a) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal as to appellant(s) Diane Koeth, Elizabeth Komin, Martin Koeth and Frank Komin only be dismissed.

**F029117 In re Erica R., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F030035 People v. Hernandez**

No brief having been filed by appellant after notice duly given under rule 17(c) of the California Rules of Court, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F029736 Steven D., v. Superior Court, Fresno County; Fresno County Department of Social Sevicees**

Let a writ of extraordinary issue directing the Fresno County Superior Court to vacate its order filed on December 3, 1997, in action No. 84731-9 setting a hearing pursuant to section 366.26 and to order appropriate reunification services to petitioner in accordance with the pertinent provisions of the Welfare and Institutions Code.

Insofar as petitioner requests additional relief from this court including immediate placement of the minor iwth, said request is denied. Etc.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F028576 People v. Vermillion**

The judgment is affirmed; the matter is remanded for resentencing.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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**F023978      Ridgeline Homeowners Association, et al. v. Cucura, et al.**

The judgment is modified to provide that defendant Willa Gonzales is the prevailing party entitled to an award of costs as against plaintiffs Ridgeline Homeowners Association and James Duffy, and that defendant Vladimir Cucura is the prevailing party entitled to an award of costs as against plaintiff James Duffy. In all other respects the judgment is affirmed. The matter is remanded for determination of the amount of allowable costs.

Defendant Willa Gonzales shall recover her costs on appeal from plaintiffs Ridgeline Homeowners Association and James Duffy. Defendant Vladimir Cucura shall recover his costs on appeal from plaintiff James Duffy. Plaintiff Ridgeline Homeowners Association shall recover its costs on appeal from defendant Vladimir Cucura. In addition, plaintiff Ridgeline Homeowners Association shall recover the sum of \$6,500 as sanctions from defendant Vladimir Cucura and his counsel, Gerard E. Traum Mueller, who shall be jointly and severally liable therefor. Thaxter, J.

We concur: Dibiaso, Acting P.J.; Levy, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F030614      In re Tommy Lee Brown On Habeas Corpus**

Petitioner is entitled to relief. Petitioner is directed to cause a notice of appeal to be filed on or before June 2, 1998, in Kern County Superior Court action No. 70935.

Let a writ of habeas corpus issue directing the Kern County Clerk, if he receives said notice on or before June 2, 1998, to file the notice, to deem it as being timely filed, and to proceed with the preparation of the record on appeal in accordance with the applicable rules of the California Rules of Court.

By the Court.

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- F027338**      **People v. Ruffin, Jr.**  
**F028120**      **In re Nathaniel Ruffin, Jr. on Habeas Corpus**  
                 Affirmed. The petition is denied. Thaxter, J.  
                 We concur: Dibiaso, Acting P.J.; Levy, J.  
                 [NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F027068**      **People v. Ramirez, Jr.**  
                 The judgment is affirmed. Vartabedian, J.  
                 We concur: Ardaiz, P.J.; Harris, J.  
                 [NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F027143**      **People v. Harrison**  
                 The judgment is affirmed. Vartabedian, J.  
                 We concur: Ardaiz, P.J.; Harris, J.  
                 [NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F029161**      **In re Justin D., a Minor**  
                 Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.
- F026635**      **People v. Losa**  
                 The judgment is affirmed. Stone (W.A.), Acting P.J.  
                 We concur: Buckley, J.; Wiseman, J.  
                 [NOT TO BE PUBLISHED IN OFFICIAL REPORTS]
- F029220**      **In re Xochilt O., a Minor**  
                 Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F028442      People v. Vasquez**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F028356      Peple v. Chappell**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F028073      People v. Hiracheta**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F027327      People v. Chhorm**

**F029532      In re Bul Chhorm on Habeas Corpus**

Appellant's petition for rehearing filed herein is denied.